

PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE

NOVEMBER 8, 2010

A meeting of the Personnel/Administrative Affairs Committee was held on Monday, November 8, 2010, at 7:00 p.m. in the Aldermanic Chamber.

Chairman Ben Clemons presided.

Members of the Committee present: Alderman Kathy Vitale, Vice Chair
Alderman Paul M. Chasse, Jr.
Alderman Richard P. Flynn

Members Not in Attendance: Alderman Arthur T. Craffey, Jr.

Also in Attendance: Alderman-at-Large Mark S. Cookson
Alderman-at-Large David W. Deane
Alderman-at-Large Barbara Pressly
Alderman Mary Ann Melizzi-Golja (7:04 p.m.)
Liz Racioppi, Co-Chairman, Cultural Planning Steering Cmte.

INTERVIEWS – None

COMMUNICATIONS – None

PERIOD FOR PUBLIC COMMENT - None

APPLICATION TO LICENSE HAWKER'S, PEDDLER'S, ITINERANT VENDOR'S LICENSE - None

APPOINTMENTS BY THE MAYOR – None

UNFINISHED BUSINESS- None

NEW BUSINESS – RESOLUTIONS – None

NEW BUSINESS – ORDINANCES

O-10-37

Endorser: Alderman-at-Large David W. Deane

NARROWING THE REASONS THAT PERMIT AN IMMEDIATE CONTRACT AWARD

MOTION BY ALDERMAN FLYNN TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Chairman Clemons

As the main sponsor is here, I would open the floor to him and ask him to please let us know what this is in regard to.

Alderman Deane

Thank you Alderman Clemons. Those of us who have served on the Finance Committee understand this portion of the ordinances, which allows the administration to take action on items in case of an emergency, and I believe those who have served before us and we looked at these ordinances in the past, this was always

used basically for properties that were owned or controlled by the City. For instance if we had a major malfunction at the sewer treatment plant and a pump went down we all understand that the pump has got to be fixed. It gives the Mayor the authority to go out and make sure that is taken care of. Or is a street collapses because a sewer line failed, same difference, it is an issue to the public. It should be dealt with posthaste and pulling the Finance Committee together, there is a process in place where the contract is supposed to be filed with the City Clerk's Office in a certain timeline and we're supposed to get copies of it, the contract is awarded, and the work commences.

But I think it should be limited to just what I have added in with the sentence. Other than that, if the City or the administration is going to partake in anything else outside of what isn't associated with property owned or controlled by the City I think the Finance Committee should weigh in on it before those actions are taken. In the past, that wasn't done. I firmly believe there was a timeline which could have been met where the Finance Committee could have met. Regardless of how anybody would vote on it is irrelevant. I think the spirit and the intent of this portion of the ordinances was that it was associated with any property owned or controlled by the City and we seem to have worked out of that realm, and I think it should be tightened up and the Finance Committee should be convened to deal with it.

I know in the past if you look at minutes on the website you will see emergency Finance Committee meetings that were held, and they necessarily had nothing to do but with property owned or controlled by the City to boot where a meeting was called. I think this language is good language, it tightens it up, it gives the committee and opportunity to vote on what actions the administration might have in mind and whether they go up or down or however you vote as a member of the Finance Committee, everyone has their vote. That is not the point. The point is I think it should be limited to exactly what this sentence is that I have placed in as an amendment in this ordinance. Thank you.

Alderman Chasse

Question to Alderman Deane, was this ordinance generated due to the Labine building?

Alderman Deane

Yes it was.

Alderman Chasse

Yes it is?

Alderman Deane

Yes I believe there was enough time to convene the Finance Committee. It had nothing to do with whether you supported buying the property or not, it all has to do with the process. I didn't support that other people did. How they vote is up to them I'm not going to question people's voting on issues. I firmly believe when this was placed in the ordinance it was to be used in emergencies associated with property owned or under the jurisdiction of the City.

Alderman Chasse

I will let you know Alderman Deane that I will support this.

Alderman Deane

Thank you.

Alderman Vitale

Just to further expand on the Labine building and the timeline of that decision-making, can you just remind me of which part of that decision-making process could have made an emergency Finance Committee meeting? I kind of remember, but will you just reiterate it?

Alderman Deane

It was the \$50,000 that was given to the contractor to stop working on the project. There was also enough time to take that \$1.8 million grant that we got for neighborhood revitalization and re-vamp that into that project. I just feel as though the Finance Committee should have had an opportunity to vote on whether to give \$50,000 to stop the project or not. That was brought in after the fact.

Alderman Vitale

So that was the stopping of the tearing down and putting up the fence part of it?

Alderman Deane

We received a memo on the public safety and all of the issues associated with what happened over there, but to date from that day the building still sits in the same condition, the fences are still out in the street, nothing has changed. Personally I think there was ample opportunity for the Finance Committee to sit down and convene, discuss it, and vote up or down on whether they wanted to pursue it.

Alderman Vitale

I thought it was that day type of thing. At which point would you have seen us convene an emergency meeting? At what point; the night of the fire, the next day...

Alderman Deane

It could have been a couple of days. There were insurance companies involved, I believe three owners involved.

Alderman Vitale

It is not that I necessarily disagree I just wanted to have it in a timeframe...

Alderman Deane

If there was time to approach all of these people I think there was time to approach the Finance Committee. Today I sat in a public works meeting and there were all of these approvals on not-to-exceed amounts for different change orders. It could have been fashioned in some way to cover whatever the cost might have been through the negotiation process with the contractor that was doing the work over there.

Alderman Vitale

Besides the Labine building is there another occasion that you see that maybe we have gone outside the scope of the intent of the ordinance as it currently stands?

Alderman Deane

Not to my knowledge, but I wouldn't want to see it happen again.

Alderman Vitale

Okay.

Alderman Flynn

Mr. Chairman or maybe Alderman Deane; what are the restrictions on calling an emergency meeting? What are the guidelines or cutoffs that have to be met?

Alderman Deane

Twenty four hours.

Alderman Flynn

Twenty four hour posting that we are going to have a meeting?

Alderman Deane

To meet the Right-to-Know Law.

Alderman Flynn

Excuse me what?

Alderman Deane

Twenty four hour posting to meet the Right-to-Know Law in three places.

Chairman Clemons

I understand the intent of the ordinance. However, I am hesitant to support it only because I want to make sure that in the future we have a broad understanding of this. I actually happen to have the other view that the action that was taken was in the best interest of the community and that having the discussion with the Mayor that it would have been extremely difficult to get the Finance Committee together in that period of time in order to get that contract established because of the complications with the insurance companies. You had a situation where a decision had to be made as to whether or not the building was coming down because the insurance companies that held the property did not want to continue to have that liability on their books. Something needed to be done. Either it needed to be secured or it needed to come down. That decision was at its D day. I think simultaneous to that we were trying to figure out whether or not the stabilization money that we got could be used towards that project and could be used to do that, and that was the money that was used for that contract.

That situation I think was something where there are many Aldermen that pushed the Mayor to do that, to try to save that building and to do this action. Maybe some of us wouldn't have liked to see it done this particular way, but I think that under the circumstances certainly, in my opinion, the right decision was made. With this ordinance written the way that we are proposing it tonight that would not have been able to happen and that building would be gone. Now it turns out in the end that building is going to be gone anyway. We are going to knock it down and it didn't go through, but we would have never had that opportunity to try and rehab that building and try to create something else had we gone ahead and done that.

That said, I think there could be some other instances as well where having this language in this ordinance could be detrimental to the City, and I would just assume leave the language the way that it is and hope that prudence will guide the Mayor in the future as it has throughout her term.

Alderman Deane

You codify policy okay. It is not the Labine building. Take that out of the equation. It is the City of Nashua involving itself in some privately owned catastrophic problems that other people had. I firmly believe there was plenty of time, plenty of time for the Finance Committee to be convened. Like I said earlier I respect everyone's vote whether you vote yes or not, but I think what this does is it sets a policy that we would like to vote on what the plan is prior to the administration pulling the trigger. I don't think that is that much to ask for. Whether you are on the prevailing side or not that is not the point. It is not the Labine building. The day is going to come if this isn't in place where something like that may happen again and you're dead set against it and wondering why the Finance Committee didn't meet.

I'm just saying I just think the authority of the Finance Committee should be to vote; have things presented to them and voting. As I stated earlier, if the street caves in because of a sewer line collapse, I understand that. If the pump down at the treatment plant breaks, I understand that. If somebody has a catastrophic problem on a private piece of property that the City doesn't own or control then I feel that the Finance Committee of this Board should be presented with what the plan is. That is just my feeling. It is not the Labine project that thing is off and running, \$1.8 million has been appropriated for all of that and that is a done deal. Whatever happens with that that is over with but it is just the process I am talking about, just the process.

Chairman Clemons

Thank you. My only response would be that if there was a serious situation going on in the City that required funds to be appropriated and that could be any number of things above and beyond what normally would be I guess allocated for such a reason, we need to be able to make sure that...in other words if there is a situation for example a flood or if there is a hostage situation or terrorist attack or some kind of catastrophic event in the future that is taking place on non-city property, but we need to be able to control the situation, we need to be able to have the things in place in order to do that.

I can't foresee what that would be, but I also don't want to put us in a situation where someone in the City can't give the go ahead to do whatever it takes to stop that situation. That is the other piece of where I am coming from. Also the other portion of this was that the money that was used, although it was allocated to the City, it was not City tax dollars it was a grant that we received from the State. Now you can argue that should still come before the Finance Committee and I guess we will agree to disagree on that, but I just think we are better off leaving the ordinance written the way that it is instead of restricting it.

Alderman Vitale

Maybe what I would ask is I would like to see us be accountable to our taxpayers not only with our tax dollars but also with grant monies that we receive at the same time allowing the Mayor to be flexible on making a

decision on not only city-owned property, but if there are public owned properties that maybe have an impact for the City. I would like to see that flexibility. Again, I would like to be able to call an emergency Finance Committee meeting whenever that possibility is there. Just so you can make me comfortable that it is not only public buildings, but there are going to be instances where there are public buildings or public instances that we don't actually own the buildings where there might be a reason for the Mayor to make an emergency decision. Again, you can't foresee that, but there is always a possibility. You don't want to restrict that. Again, I would prefer to have an emergency meeting called if at all possible. If the Mayor calls an emergency meeting and we can't meet there is not a quorum, she is going to have to be able to make the decision, and is that still able to be done? Mayor tries to call an emergency meeting, there are not enough people there, can she make the decision or any future Mayor make the decision with the language in the ordinance?

Alderman Deane

It allows the Mayor to continue but only with property owned or controlled by the City to make that decision.

Alderman Vitale

Do you see any instance where there might be something that is in the public interest that is not owned by the City?

Alderman Deane

I think everything is in the public interest. Like I said earlier, my feeling is...we can sit here and muster as many hypothetical situations, I mean Alderman Clemons is talking about terrorist attacks and flooding and things like that. I am just looking at the fact that if this is going to be exercised it is going to be exercised on City owned or controlled properties. Other than that an emergency Finance Committee meeting has to be called. I think if you look in the past, and I don't know if this is correct or not so I don't want to be laminated by anyone for it, but I can't remember in my time on this Board anything being approved as an emergency situation where the Finance Committee didn't weigh in or receive the memo from the Mayor's Office that was filed with the City Clerk's Office that had anything to do with other than street collapses and things of that nature. That is basically what the gist of it has been where you have a big hole in the middle of the street, you have to fix it. People's sewer lines have to work and things like that.

I just think it should be limited to that. If there is some other catastrophic issue somewhere, but it depends on, like I said you can have all of these hypothetical situations and the concern in the memo if you go back and read it, is the public safety and all of these other reasons that are in here, and the building is still in the same condition it was on that day; the fence is still in the same place, the Fire Department still has the same problem, and it is months later. I just think we should limit it to what we own and then have a meeting called if we are going to go out and do something else that is not controlled or owned by the City.

Alderman Vitale

I just don't like to have our ordinances or resolutions so restrictive that it doesn't allow you the flexibility to make a decision in the what if situation. That is why I am saying say there is a fire on Main Street and again I know you are saying we can't account for all what ifs and that is one of the reasons that I think we don't have overly restrictive ordinances, you have to have some judgments made. Say we have a fire on Main Street, which has happened before, and it takes down a bunch of buildings, they are all privately owned, but if there are a bunch of buildings on Main Street that go down that will affect the whole City; the economy of the city and businesses and everything else. They might be all privately owned, but we might need to make an emergency decision on that. It will impact the City at some level even though they are privately owned buildings.

Alderman Deane

I don't believe it is government's place to be involved in things like that, I really don't. I pay \$20,000 a year for insurance; my life, my health, my teeth, my car, my house, my business liability just like everybody else does. If my house burns down is the City going to run up there and say that is an old house don't tear it down we want to buy it? I don't think the City should be in that business. If there is a problem people have insurance. It is the biggest industry in the world and people pay premiums for it unfortunately in most cases more than I care to think about. My personal opinion I don't think it is government's place to be running around if there is a problem like that. I understand we supply the fire protection, we supply the police, the public works, we supply all of those protections when things like that happen because those folks pay taxes and they pay for that service.

Alderman Vitale

I totally agree, but at the same time I don't think we want to be overly restrictive in how our decisions are made. I agree with the piece of legislation I just would like to see it make sure that our intent is so if the decisions arise that an emergency decision has to be made that we are not so restrictive that we can't make that decision when it arises. But on the whole I agree with the legislation and I agree that we don't want the government involved where they shouldn't be and there is no reason to be I just don't want it so restrictive that if an occasion arises that we can't take action right when it is needed and if the Mayor tries to call an emergency meeting and we don't have a quorum within that 24 hours. That is my only thing, I just want to make sure that the Ts are crossed and the Is are dotted as far as our flexibility. I do support the ordinance and the intent of it because I definitely believe that we should be calling our emergency meetings whenever we need to and have us involved in taking care of our taxpayers' dollars and the grant monies that the City receives so they are spent in the best way possible. We might have disagreements on how that money is spent, but we all have the intent that it is spent the best way possible.

Alderman Deane

Thank you.

Chairman Clemons

Is there any further discussion? The motion is for final passage of O-10-37.

MOTION CARRIED

Chairman Clemons

Tabled in committee, we have several items that are on the table where the main sponsor is Alderman Pressly so I am just going to ask Alderman Pressly since you are here are there any of those that you wish to entertain this evening?

Alderman Pressly

The last one was tabled because I was not here. The two early ones O-10-19 and O-10-23, I would like to speak to them, but it is fine if you keep them on the table.

Chairman Clemons

Okay. We could do that at the end in general discussion.

Alderman Pressly

The O-10-32 was tabled because I could not be at your meeting.

**MOTION BY ALDERMAN CHASSE TO TAKE FROM THE TABLE O-10-32
MOTION CARRIED**

O-10-32

Endorser: Alderman-at-Large Barbara Pressly

RELATIVE TO ALDERMANIC REQUESTS FOR PUBLIC RECORDS

MOTION BY ALDERMAN FLYNN TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Alderman Pressly

Thank you. I think it is a fairly simple idea, it is just that if an Alderman goes directly to a department for a public record to conduct their business as an Alderman that they not be charged for the records, that they be given to an Alderman doing public business free of charge.

Chairman Clemons

Thank you. Is there any further discussion?

Alderman Deane

That sounds like a great idea.

Alderman Pressly

Thank you.

Alderman Deane

Absolutely.

Alderman Vitale

I like it if we always get our information that we are asking for also. I know in the past and one of the places that I encountered this is when I was on the Conservation Commission, and maybe it is different now than it was then, but at that time the cost of doing some maps of areas was pretty expensive, and how is that put into the budget as far as cost? Some of the maps are pretty big. I do remember that being something that we discussed when I was on the Conservation Commission because we needed to have access to quite a few maps and it came up as part of the conversations then. The printed material is pretty self explanatory as to the cost of getting information, but what about when it comes to can I have a map of this or map of that and maybe we need 15 copies of it. Who bears the cost? It is still a budget item.

Chairman Clemons

Correct me if I am wrong, but the way that I read this, this has to do with photocopies of public documents on an 8 ½ x 11 sheet of paper so I don't think it necessarily is a map.

Alderman Vitale

Okay. I couldn't remember if it ...

Chairman Clemons

Yeah I think this is just for...

Alderman Vitale

So it wouldn't be we could go in and ask for any map at any time.

Chairman Clemons

Maps are...right.

Alderman Vitale

I just wanted to double check because sometimes that is the thing that myself personally I would like to see the most. I tend to go and look at there are maps all over the place available where there are like 1 or 2 copies around. Couldn't remember if that was...

Alderman Pressly

Does it say that?

Alderman Deane

Seventy five cents for the first page of the document and ten cents per page thereafter for photocopying services of 8 ½ by 11.

Chairman Clemons

Then it says when photocopies are made of a document for which an overall price has been otherwise established the fee for photocopying shall be the same as the price for the document. So in other words that would cover the maps so yes the maps would be free to an Alderman who is requesting them for their Aldermanic duties, and I don't know what the budget impact of that would be. It says on the back that the fiscal impact cannot be determined. I can't foresee it being too large, but who knows.

Alderman Deane

You've got perceived anticipated revenue so if the first copy is \$.75 and we are paying the individual to be there for 8 hours anyway, and I look at what is requested, any time I get a map it is usually given to me so I don't know who is paying for that. I have Broad Street Parkway maps, I have maps of the landfill, I have maps

of the sewer line, somebody gave me all of this stuff. Somewhere in the \$230 million + budget is lost this \$1.50 worth of maps. From a financial standpoint I mean Alderman Vitale if you were in there every day asking them to run off 400 or 500 maps I think that might be an issue, but...

Alderman Vitale

I agree I am just bringing it up.

Alderman Deane

I think the premise behind this legislation is that when we want something we should be able to get it to function with that is all. I think this is good. This is a good thing to do.

Alderman Vitale

I agree. I think that we should be able to get the information any time that we need it to make a decision. It is just that I do remember them making an issue on the cost of some of the stuff. It might be a minor impact, but...and they do have copy budget lines. I don't know how tight they are or anything like that.

Alderman Deane

I can pull my budget book out and tell you what the anticipated revenue is for photocopies. You don't want to know what that is?

Chairman Clemons

Probably not much.

Alderman Deane

Probably \$200 or some ridiculous amount.

Alderman Vitale

That is fine.

Alderman Flynn

I've never had a problem when I have been to the Police Station to get copies of accident records for certain streets or whatever. They have never blinked they have just kind of had the stuff prepared ahead of time for me and allowed me to pick it up. I did have an instance when I was trying to gather information from a couple of different departments on the automotive dealership and the Superior Drive incident. One department gave me what I wanted and the other department wanted to charge me. At that time I went to Administrative Services and said I didn't think that was right and she ended up walking down with me and took care of it. I think it would be better even for the help to understand that Aldermen don't have to pay for this as opposed to like I say either my having to approach someone in the administration to take care of it for me, I am not looking for a privilege, and she agreed that was the right thing. It kind of makes it easier I think for those that you might approach for whatever it might be; something from the Assessor's office or from another area. This makes it even easier for the people that work in City Hall so I think it is a good thing. We shouldn't have to pay for these things we are doing them obviously for the betterment of our constituents not for any personal excitement gathering these documents that is for sure. It is good legislation.

Alderman Chasse

Isn't there a part II to this particular thing something to the fact where they didn't want us coming down to one of the departments and requesting all kinds of stuff during working hours without letting them know in advance due to the fact that they can't be taking somebody away from their work and supplementing an Alderman with pages and pages of information at no charge? I thought there was a part II to this where they didn't want you to come into City Hall and request information; you had to go through the department heads?

Chairman Clemons

I don't know anything...

Alderman Pressly

Not that I know of.

Alderman Chasse

Was that a totally different issue?

Alderman Deane

That is another issue I think.

Alderman Chasse

That is another issue where they wanted you to go to department heads instead of going in and requesting pages and pages of information? I don't think there is any ordinance on that is there?

Chairman Clemons

No I don't believe there is.

Alderman Deane

So we can do it.

Chairman Clemons

Right.

Alderman Chasse

Okay.

Chairman Clemons

Is there any further discussion on this ordinance? If not the motion is for final passage of O-10-32.

MOTION CARRIED

Alderman Deane

Mr. Chairman being the Chair of this committee can you give us an update on O-10-29? Have you heard anything else about that?

Chairman Clemons

I have not heard anything from the sponsor no. Out of respect for the sponsor I would just assume leave it on the table.

Alderman Deane

I just wanted to know if you had any sort of an update.

Chairman Clemons

No.

Alderman Deane

I appreciate your respecting the fact that the primary sponsor isn't here and keeping it on the table. Thank you.

MOTION BY ALDERMAN CHASSE TO TAKE FROM THE TABLE O-10-36
MOTION CARRIED

O-10-36

Endorsers: Mayor Donnalee Lozeau
Alderman-at-Large Mark S. Cookson
Alderman-at-Large Brian S. McCarthy
Alderman Michael J. Tabacsko
Alderman Mary Ann Melizzi-Golja
Alderman Richard LaRose
Alderman-at-Large Ben Clemons
Alderman Kathy Vitale
Alderman-at-Large Barbara Pressly
Alderman Jeffrey T. Cox
Alderman Diane Sheehan
Alderman-at-Large Lori Wilshire
Alderman Richard P. Flynn
Alderman-at-Large David W. Deane

ESTABLISHING A NASHUA ARTS COMMISSION

MOTION BY ALDERMAN CHASSE TO RECOMMEND FINAL PASSAGE

ON THE QUESTION

Alderman Cookson

Thank you. I also have the co-chair of the Cultural Planning Steering Committee Liz Racioppi here as well if you would allow her to join us.

Chairman Clemons

Yes, please come up.

Alderman Cookson

First off let me apologize for neither one of us being available at the last meeting where you took this up and had to table it. Because of business and other commitments we were unable to join you. We had hoped that the Mayor was going to be here, but she in fact was running late to that meeting and you took the legislation up prior to her arrival. She was prepared to speak about it, but was unable to at that meeting.

This ordinance is the establishment of an arts commission for the City of Nashua. All this legislation sets out to do is it sets out the commission's purpose, responsibilities, membership, terms, and other organizational details and it also provides for a liaison to be identified from the Board of Aldermen to sit on this arts commission.

We have worked several years, two years, in the establishment of a cultural planning steering committee to get to a point where we are able to come before the Board of Aldermen and this committee to propose this particular arts commission. It was made up of several individuals and I would be happy to turn the floor over to Liz if she would like to talk a little bit more about what we have done over the past two years.

Liz Racioppi, 15 Middle Dunstable Road, Nashua

Thank you very much. As Mark said we have worked for two years as a steering committee to create what ends up being this legislation that is on the table with a number of people that are both in the arts community and the business community including Chris Williams of the Nashua Chamber of Commerce, Eric Valliere for example of the Nashua Symphony, Doreen Cafarella from the Northern Ballet Theatre Company, and several in the business community including Ron Kraus local businessman and business owner in the City. Joe Cartier another businessman so a nicely balanced group of business people, arts people, and residents such as myself.

As Mark mentioned, we are looking to be a broad-based group that facilitates information between the community and the City. We have set ourselves up with basically four areas of charter; we facilitate, advocate, coordinate, and educate around arts and culture in the city. We have discussed what the roles and responsibilities of the commission would be the number of people, which would max at 13, job descriptions, basically everything that is necessary to create the commission.

Chairman Clemons

Great.

Alderman Deane

I am just wondering why Aldermen can't make appointments to the membership to the commission.

Chairman Clemons

I guess you would have to ask the sponsor.

Alderman Cookson

We would be happy to make an amendment to this particular ordinance if any member of the Board of Aldermen would be interested in providing recommendations to the group.

Alderman Deane

If we do that we have the availability to submit an appointment. If I had somebody that was interested I wouldn't have to send them on a trail down. How is this interview process going to work? It says appointments shall be made by the Mayor and confirmed by the Board of Aldermen. Why don't we make it so appointments shall be made by the Mayor or an Alderman and confirmed by the Board of Alderman following an application process? So if an Alderman has somebody that has an interest they can submit their name correct and then they can follow through the application process.

Alderman Cookson

I think more heads are usually better than one and if members of this Board would be interested in providing names for appointments I think it is a wonderful idea and I would support that.

Chairman Clemons

Do you have anything further Alderman Deane?

Alderman Deane

I can't make an amendment to this because I am a sponsor, but I am not number 2.

Chairman Clemons

I hesitate in doing that only because it falls outside of what our normal practices are for other committees, and I think we ought to stay consistent in that. If we want to look at maybe changing all of them in a separate ordinance, but for myself I think we should leave it the way that it is, that the Mayor appoints and the Board confirms. That is just how we do business it is how we have done business in the City of Nashua for a hundred years. I just think that is the way that we ought to do it. If we have somebody that we feel strongly about that should be on the commission we can go to the Mayor and advocate for that person and I am sure she would be open to hearing that.

Alderman Vitale

The Aldermen have recommended in the past because that is how I got on the Zoning Board, it was done by the Aldermen. I don't see any reason why we can't as Aldermen make recommendations to a commission such as this. I don't see why we can't start with this one if it is not a practice on others. I don't see why we can't go ahead and set it up that way on this one and then go back and change other ones because I don't see any problem with almost any board that the Aldermen couldn't make a recommendation, that a recommendation come from a member of this Board.

I don't see any reason that we can't start with this one or that we have to follow what is already there because for this board I would agree with Alderman Cookson it doesn't hurt to have recommendations coming from a variety of locations. You are going to probably have more access to good people for the commission with the more locations that it would be coming from.

You are just adding a step. We can always say hey I have somebody and call the Mayor, but I don't see any need to do that.

Alderman Chasse

I don't ever recollect an Alderman making an appointment or putting somebody in for an appointment other than the President of the Board who has the power to do that. Actually I have to kind of agree with Alderman Clemons here I think we have a great process right now because the Mayor does not put anybody on any committee until she interviews with them. Just look at the number of people she has brought into us, probably getting close to 200 now. She has brought in some pretty good people with all kinds of degrees and very qualified in what they are going for so I think that the process should stay the same way, let her appoint, and take it up over here at our committee. It is not broken; I don't think we have to fix it.

Chairman Clemons

I tend to agree. The other concern that I have is this is ...how many members are on this?

Alderman Cookson

Between 7 and 13.

Chairman Clemons

What I fear is 15 or 16 people coming before this committee and it becoming a competition. I don't want to see that happen. I think the committee is large enough the way that it is set up that we should be able to get a wide variety of talent. I think that the Mayor again would be open to hearing suggestions of who should be on the committee, and ultimately if there is somebody that comes before us that we don't feel is appropriate then we can reject them on the committee and then the Mayor would have to go back and try to find somebody else. That is the appropriate way in my opinion to handle this. I think if you do it otherwise it will become a competition and it is not going to look good for the City of Nashua. I think it can get quite ugly and fast.

Alderman Deane

I think you are overreacting, but that is your opinion and I respect it. When you go to 12-37, I kind of like the way the terms are. I like that setup. You are always getting some fresh blood in there.

Liz Racioppi

That is the idea.

Alderman Deane

You are not losing everybody...I guess you can go for a re-appointment. Is that the way it is?

Chairman Clemons

Yes.

Alderman Deane

One, two, and three year terms of the members' terms will be staggered. I guess you can go for a re-appointment. If you ever get somebody that just can't serve anymore for whatever reason you can always rotate people in and out of there, get some new ideas. And there will be two Aldermen on this?

Alderman Cookson

The assumption is that there would be a Liaison and an alternate Liaison.

Alderman Deane

And it says the President shall appoint Aldermen, should say an Alderman as called for with the first being named Chairman and the second being named Vice-Chairman to the following standing committees. So one member committee shall have an alternate appointed so you are just going to be strictly a Liaison. I think you ought to vote on this. I think it is good.

Alderman Chasse

I guess number 13 is definitely a lucky number because if you look at the sponsors of it there are 13 Aldermen out of 15 that sponsored it. I think it is time to vote.

Chairman Clemons

Is there any further discussion?

MOTION CARRIED

TABLED IN COMMITTEE

R-10-60

Endorsers: Mayor Donnalee Lozeau
Alderman-at-Large David W. Deane
Alderman-at-Large Mark S. Cookson
Alderman Richard P. Flynn
Alderman Mary Ann Melizzi-Golja
Alderman Kathy Vitale

PROVIDING FOR A REVIEW AND UPDATE OF THE MERIT PLAN

O-10-19

Endorser: Alderman-at-Large Barbara Pressly

RELATIVE TO RESUMES OF DIVISION DIRECTORS AND DEPARTMENT HEADS ON THE CITY OF NASHUA'S WEBSITE

O-10-23

Endorser: Alderman-at-Large Barbara Pressly

ESTABLISHING AN OMBUDSMAN FOR THE CITY OF NASHUA AND AUTHORIZING THE TRANSFER OF \$60,000 FROM ACCOUNT 591-86005 "FY2011 GENERAL CONTINGENCY" INTO ACCOUNT 501-53 "MAYOR'S OFFICE – PROFESSIONAL SERVICES"

O-10-29

Endorser: Alderman Diane Sheehan

PERMITTING AMPLIFIED SOUND IN GREELEY PARK WITH A DECIBEL LEVEL LIMITATION

DISCUSSION

Alderman Pressly

Thank you. I will be happy just to comment on O-10-19 and O-10-23. You can tell by the low numbers they have been on the table for a long time. Just to give you sort of some rationale behind sponsoring them, they were in reaction to the deficit at the School Department and what I perceived as part of the problem. I am glad that there are some of you here; I know Alderman Melizzi-Golja has some experience and I know that Alderman Clemons does too through a relative as far as how the School Department works.

I was just troubled by the whole situation and the way I see it now that we are able to look back on it, there were two times in a row where they were hiring the leader really the major leader of the school department and two times in a row something happened and we got some difficult people there. In looking at the School Department, the Superintendent really runs just about everything. The Board of Education relies almost totally on that one person for everything; for advice on how to run the schools, they are also responsible for knowing all of the laws regarding everything. They are totally reliant upon the quality of that one person. It is very different from what we do. We have a lot of people at City Hall that we can turn to for advice. There is just a lot of experience in running the City and there is not that much of responsibility or need to know everything placed on one person like it is the school board.

These were just ideas that I came up with that I thought would help to, and I am not suggesting...the chance of that happening again is quite remote, the chance of it, maybe it will never happen again, but it could, and so I tried to think of ways that maybe could diminish that. The first one has to do with just transparency of the qualifications of our highest employees, the division directors. I know a lot of you don't agree with that and so I am not going to push it, but it just seemed to me for transparency that would be a smart sensible thing to do, and that is something I thought we all should be able to deal with. We got sort of hung up on what is a resume, what is a bio, all of that. The most important thing is that the public have some idea just what the qualifications are of our division directors.

The other one is maybe a little bit more creative as Alderman Flynn would say occasionally, and this is for an Ombudsman. As you know they are working now on how to take care of bullying and it turns out that one of the superintendents they hired was quite a bully. Well how do you go to anybody if the problem is at the top, which apparently it was at the school? How can you put a notice in the box or call somebody within the system and say hey the guy at the top is a big problem? That was the reason I came up with an Ombudsman and the reason for that is that is a way for a person to anonymously by not putting their job or their kids or their safety at risk, to go to an independent person that is not in any way connected with the system and explain that there are some issues that nobody is addressing.

That was the reason for them. I know that in the times you have discussed it that there is a lot of concern on the part of many of you so I am happy to leave them on the table, but I still believe that they were really good ideas. One is transparency and one is to allow people to blow the whistle and be protected in a way that is unique and really does protect people from any reprisals or repercussions for pointing out problems.

I appreciate the fact that you have considered them. You can keep them on the table and I guess they die a natural death come December. I still think they are good ideas, but they are fine with me on the table. I'm not going to make a big fuss over either of them.

Chairman Clemons

Just so you know Alderman Pressly they will remain on the table until the next not this December, but the following. It is one session so a two-year session.

Alderman Pressly

They will be nice and dusty by then.

Chairman Clemons

I'm not going to comment on the merits or anything of either one of them, but I will just say out of courtesy to you if at any point you want us to take them up let me know and we can do that.

Alderman Pressly

Thank you.

Chairman Clemons

Because really if you want to get either one of them aired out and discussed I'm always open to doing that. I am sure that the committee would be. If you want to move them forward to the full Board of Aldermen at any time you are always a welcome guest at this committee.

Alderman Pressly

Thank you I appreciate that. Maybe something will happen in the next year and a few months...

Alderman Deane

And you will need them.

Alderman Pressly

And we need them. I still think they are good ideas. I think they are a little bit progressive. We are all very comfortable with the status quo and this is a little bit out of the mainstream. I don't think posting the qualifications of the division directors is a big deal. In fact when I met with the Chief of Police he suggested why don't you just do the division directors and I said well that is where this thing started. If you don't mind just keeping them there for another year maybe something will come up that you might want to even take another look at them.

Chairman Clemons

They will be there until we hear from you.

Alderman Pressly

Okay. A lot of people have never heard of the word ombudsman and it is one that is becoming used in many many new places and maybe in a year some people will have a different perspective. Thank you. I appreciate the courtesy.

Chairman Clemons

Of course. Is there any other discussion this evening?

I should have done this at the beginning of the meeting, but we had this meeting this evening, which is outside of the normal schedule because our normally scheduled meeting was on a holiday, which is Veterans Day. I just want to take the time to wish our Veterans a happy Veterans' Day and to thank them for their service.

Alderman Chasse

Thank you.

Chairman Clemons

Thank you. Is there anything further?

ADJOURNMENT

**MOTION BY ALDERMAN CHASSE TO ADJOURN
MOTION CARRIED**

The meeting was declared closed at 7:55 p.m.

Alderman Paul M. Chasse, Jr.
Committee Clerk Pro Tem